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8 UNITED STATES BANKRUPTCY COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 In Re:

Case No. 22-11795-MLB

11 JAMESON BRADLEY KAYE and CHELSEA  
12 RENAE KAYE,

Adversary No. 23-01003-CMA

Debtor.

DECLARATION OF DAWN KIRBY

13 NAVY FEDERAL CREDIT UNION,

Plaintiff,

14 v.

15 JAMESON BRADLEY KAYE and CHELSEA  
16 RENAE KAYE,

Plaintiff.

17 The undersigned declares as follows:

18 1. I am the Manager for the Consumer Portfolio Team for Plaintiff Navy Federal Credit Union.

19 I am over the age of eighteen and am competent to speak to the matters herein.

20 2. I am familiar with Plaintiff's consumer lending practices. I am also familiar with Mr.  
21 Kaye's loan.

22 3. Mr. Kaye's loan application was approved by a team underwriter. After approval, Mr. Kaye  
23 signed the promissory note attached as Exhibit B to the Declaration of Malaly Tabibi.

24 4. The promissory note exhibit includes the entire agreement. There is no outside binder of  
25 incorporated terms.

26 5. The promissory note includes the "Security Agreement" paragraph on page 2, and the  
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1 “Truth-in-Lending Disclosure” box on page 1.

2 6. The “S” after “Personal Expense” is short for “Signature”, which means no collateral.  
3 Plaintiff offers collateralized personal loans, but they are not available by digital application.

4 7. The consumer loan product Mr. Kaye applied-for is for personal use, only. The loan  
5 application and contract specifically require representations of personal use.


6 8. The loan would not have been approved had Plaintiff known the loan proceeds were  
7 intended for business use. Loans for business use are handled by a different credit union  
8 department with different underwriting procedures.  
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10 9. The loan was also approved based on Mr. Kaye’s personal financials represented in the  
11 application.

12 10. I declare under the penalty of perjury under the Laws of the State of Washington that the  
13 foregoing is true and correct.  
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15 SIGNATURE(S) ON NEXT PAGE  
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1 DATED 6/29/2023 and SIGNED AT NFCU HQ, Vienna, VA (Place)

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3 By: Dawn Kirby

4 Its: Manager for the Consumer Portfolio Team

5 WA-22-172377